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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CAESARS WORLD, INC. and PARK PLACE
ENTERTAINMENT CORPORATION,

Plaintiffs,

Vs.

CYRUS MILANIAN, and THE NEW LAS
VEGAS DEVELOPMENT COMPANY, L.L.C.,

Defendants.

Civil Action No.: CV-S-02-1237-RLH (RJJ)

NOTICE OF APPEAL

Notice is hereby given that Caesars World, Inc. and Park Place Entertainment Corporation, Plaintiffs in the above-named case, hereby appeal to the United States Court of Appeals for the Ninth Circuit from the District Court's denial of Plaintiffs' Motion to Enforce Settlement (See Minutes of the Court, #47, filed January 28, 2003; Minutes of the Court, #53, filed January 30, 2003) and the Order and Judgment awarding a reduced amount of attorney's fees and costs to Plaintiffs (See, Order, #88,

1 filed May 8, 2003; Judgment in a Civil Case, #90, filed May 12, 2003).

2 DATED: June 6, 2003.

3 JONES VARGAS

4
5 By: 

6 GARY R. GOODHEART, ESQ.
7 Nevada Bar No. 001203
8 PATRICK A. ROSE, ESQ.
9 Nevada Bar No. 005109
10 3773 Howard Hughes Parkway
11 Third Floor South
12 Las Vegas, Nevada 89109
13 *Attorneys for Plaintiffs*

14 AND

15 STEPHEN W. FEINGOLD
16 RICHARD H. BROWN, ESQ.
17 **PITNEY, HARDIN, KIPP & SZUCH LLP**
18 685 Third Avenue
19 New York, New York 10017-4024
20 *Co-Counsel for Plaintiffs*



USCA DOCKET # (IF KNOWN)

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT CIVIL APPEALS DOCKETING STATEMENT

PLEASE ATTACH ADDITIONAL PAGES IF NECESSARY.


| | | |
|---|--|---|
| TITLE IN FULL: Caesars World, Inc. and Park Place Entertainment Corporation, Plaintiffs, Vs. Cyrus Milanian, and The New Las Vegas Development Company, L.L.C., | DISTRICT: Nevada JUDGE: Roger I. Hunt | |
| | DISTRICT COURT NUMBER: CV-S-02-1287-RLH-RJU | |
| | DATE NOTICE OF APPEAL FILED: 06/06/03 | IS THIS A CROSS-APPEAL? <input checked="" type="checkbox"/> YES |
| | IF THIS MATTER HAS BEEN BEFORE THIS COURT PREVIOUSLY, PLEASE PROVIDE THE DOCKET NUMBER AND CITATION (IF ANY): N/A | |
| BRIEF DESCRIPTION OF NATURE OF ACTION AND RESULT BELOW: SEE ATTACHED | | |
| PRINCIPAL ISSUES PROPOSED TO BE RAISED ON APPEAL: SEE ATTACHED | | |
| PLEASE IDENTIFY ANY OTHER LEGAL PROCEEDING THAT MAY HAVE A BEARING ON THIS CASE (INCLUDE PENDING DISTRICT COURT POSTJUDGMENT MOTIONS): SEE ATTACHED | | |
| DOES THIS APPEAL INVOLVE ANY OF THE FOLLOWING: <input type="checkbox"/> Possibility of settlement <input type="checkbox"/> Likelihood that intervening precedent will control outcome of appeal <input type="checkbox"/> Likelihood of a motion to expedite or to stay the appeal, or other procedural matters (Specify) _____ <input type="checkbox"/> Any other information relevant to the inclusion of this case in the Mediation Program _____ <input type="checkbox"/> Possibility parties would stipulate to binding award by Appellate Commissioner in lieu of submission to judges | | |
| LOWER COURT INFORMATION | | |

| JURISDICTION | | DISTRICT COURT DISPOSITION | |
|---|--|--|--|
| FEDERAL | APPELLATE | TYPE OF JUDGMENT/ORDER APPEALED | RELIEF |
| <input checked="" type="checkbox"/> FEDERAL QUESTION <input type="checkbox"/> DIVERSITY <input type="checkbox"/> OTHER (SPECIFY): | <input checked="" type="checkbox"/> FINAL DECISION OF DISTRICT COURT <input type="checkbox"/> INTERLOCUTORY DECISION APPEALABLE AS OF RIGHT <input type="checkbox"/> INTERLOCUTORY ORDER CERTIFIED BY DISTRICT JUDGE (SPECIFY): <input type="checkbox"/> OTHER (SPECIFY): | <input type="checkbox"/> DEFAULT JUDGMENT <input type="checkbox"/> DISMISSAL/JURISDICTION <input type="checkbox"/> DISMISSAL/MERITS <input type="checkbox"/> SUMMARY JUDGMENT <input checked="" type="checkbox"/> JUDGMENT/COURT DECISION <input type="checkbox"/> JUDGMENT/JURY VERDICT <input checked="" type="checkbox"/> DECLARATORY JUDGMENT <input type="checkbox"/> JUDGMENT AS A MATTER OF LAW <input type="checkbox"/> OTHER (SPECIFY): | <input type="checkbox"/> DAMAGES: SOUGHT \$ _____ AWARDED \$ _____ <input checked="" type="checkbox"/> INJUNCTIONS: <input type="checkbox"/> PRELIMINARY <input checked="" type="checkbox"/> PERMANENT <input type="checkbox"/> GRANTED <input type="checkbox"/> DENIED <input checked="" type="checkbox"/> ATTORNEY FEES: SOUGHT \$ <u>330,634.74</u> AWARDED \$ <u>237,067.00</u> <input type="checkbox"/> PENDING <input checked="" type="checkbox"/> COSTS: \$ <u>1,033.77</u> |

CERTIFICATION OF COUNSEL

I CERTIFY THAT:

- COPIES OF ORDER/JUDGMENT APPEALED FROM ARE ATTACHED.
- A CURRENT SERVICE LIST OR REPRESENTATION STATEMENT WITH TELEPHONE AND FAX NUMBERS IS ATTACHED (SEE 9TH CIR. RULE 3-2).
- A COPY OF THIS CIVIL APPEALS DOCKETING STATEMENT WAS SERVED IN COMPLIANCE WITH FRAP 25.
- I UNDERSTAND THAT FAILURE TO COMPLY WITH THESE FILING REQUIREMENTS MAY RESULT IN SANCTIONS, INCLUDING DISMISSAL OF THIS APPEAL.



 Signature

06/06/03

Date

COUNSEL WHO COMPLETED THIS FORM

NAME: Patrick A. Rose

FIRM: Jones Vargas

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THIS DOCUMENT SHOULD BE FILED IN THE DISTRICT COURT WITH THE NOTICE OF APPEAL
IF FILED LATE, IT SHOULD BE FILED DIRECTLY WITH THE U.S. COURT OF APPEALS

BRIEF DESCRIPTION OF NATURE OF ACTION AND RESULT BELOW:

This was an action for declaratory and injunctive relief as to the Plaintiffs' right to use the trademark Colosseum based on claims by the Defendant that Plaintiffs' use of Colosseum infringed his prior rights based on a pending intent to use trademark application. Additionally, Plaintiffs sought injunctive relief against Defendant's use of the Empire trademark in violation of their common law trademark rights. The district court held that Plaintiffs had prior rights to use the Colosseum mark, that Defendant's intent to use applications were void because he lacked a bona fide intent to use the applied for mark in commerce, and that Defendant's use of Colosseum and Empire violated Plaintiffs' trademark rights. The district court also held that any claims by Defendant relating to the creation or development of the Colosseum were compulsory counterclaims that had been waived by the Defendant, and the court issued an injunction against defendant maintaining any such claims in any other court. The district court also granted Plaintiffs' motion to amend the complaint to conform to the evidence that plaintiffs had not violated any rights of defendant in the development of the Colosseum. The district court granted declaratory and injunctive relief to the Plaintiffs.

Before trial commenced, the parties had settled the action, but the Defendant then reneged on the settlement. The district court denied Plaintiffs' motion to enforce the settlement and then denied Plaintiffs' motion for reconsideration of that decision.

The district court also awarded attorneys' fees and costs to the Plaintiffs, first as a sanction for failing to appear at a deposition without notice, and second after trial as to the prevailing parties. In both aspects, the court awarded a reduced amount from what Plaintiffs had incurred and sought as a result of the Defendant's infringing conduct, failure to appear for deposition, and refusal to honor the settlement agreement.

PRINCIPAL ISSUES PROPOSED TO BE RAISED ON APPEAL:

1. Whether the district court erred in denying Plaintiffs' motion to enforce settlement agreement and denying the motion for reconsideration of that decision.
2. Whether the district court erred in not awarding Plaintiffs' the full amount of attorneys' fees and costs that they incurred and sought as result of the Defendant's failure to appear for deposition.
3. Whether the district court erred in not awarding Plaintiffs' the full amount of attorneys' fees and costs that they incurred and sought as a result of the Defendant's infringing conduct and assertion of rights in the Colosseum trademark.

PLEASE IDENTIFY ANY OTHER LEGAL PROCEEDING THAT MAY HAVE A BEARING ON THIS CASE (INCLUDE PENDING DISTRICT COURT POSTJUDGMENT MOTIONS):

Defendant in this matter commenced an action in New Jersey state court, which was removed to the U.S. District Court for the District of New Jersey (Case No. 03-1259), relating to claims that the District Court (Nevada) held were compulsory counterclaims and on which Plaintiffs were granted a declaratory judgment.

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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CAESARS WORLD, INC. and PARK PLACE
ENTERTAINMENT CORPORATION,

Plaintiffs,

Vs.

CYRUS MILANIAN, and THE NEW LAS
VEGAS DEVELOPMENT COMPANY, L.L.C.,

Defendants.

Civil Action No.: CV-S-02-1287-RLH (RJJ)

REPRESENTATION STATEMENT

Caesars World, Inc. and Park Place
Entertainment Corporation
Plaintiffs/Appellants
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Plaintiffs/Appellants
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2 Defendant/Appellee
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5 9500 Hillwood Drive, Suite 130
6 Las Vegas, Nevada 89134
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8 Facsimile: (702) 474-9988

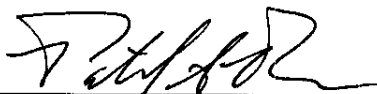
6 Co-Counsel for Cyrus Milanian
7 Defendant/Appellee
8 Melvin K. Silverman, Esq.
9 MELVIN K. SILVERMAN & ASSOC., P.C.
10 One Gateway Center
11 Suite 2600
12 Newark, NJ 07107
13 Telephone: (973) 645-9494

11 DATED: June 6, 2003.

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14 By: 
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22 *Attorneys for Plaintiffs*

AND

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STEPHEN W. FEINGOLD
RICHARD H. BROWN, ESQ.
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Co-Counsel for Plaintiffs

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LANCE S. WILSON
CLERK

BY _____
DEPUTY

CAESARS WORLD, INC., et al.,)
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Plaintiff(s),)
)
vs.)
)
CYRUS MILANIAN, et al.,)
)
)
Defendant(s).)
_____)

CV-S-02-1287-RLH(RJJ)

MINUTES OF THE COURT

DATED: January 17, 2003

THE HONORABLE ROGER L. HUNT UNITED STATES DISTRICT JUDGE
DEPUTY CLERK KANDY CAPOZZI COURT REPORTER LUCILLE LITSHEIM
COUNSEL FOR PLAINTIFF(S) GARY GOODHEART; STEPHEN FEINGOLD; RICHARD BROWN
COUNSEL FOR DEFENDANT(S) GREGORY BUHYOFF; MELVIN SILVERMAN

MINUTES OF PROCEEDINGS: **SETTLEMENT**

The Court convenes at 11:03 a.m. MARK CLAYTON, in-house counsel for Park Place, is present with the Plaintiffs. STEPHEN FEINGOLD, RICHARD BROWN and MELVIN SILVERMAN are present via telephone.

The Court was notified that this matter has been settled and the parties wish to enter the settlement on the record.

Mr. Buhyoff informs the Court he has prepared a motion to withdraw from case.

Mr. Feingold advises he was informed this morning by Mr. Buhyoff that his client now refuses to provide a general release to Park Place Entertainment. Mr. Feingold requests the Court enforce the settlement agreement.

Mr. Buhyoff responds and further representations are heard.

Under the circumstances, the Court does not feel it is proper to enforce settlement at this junction.

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Caesars World, Inc., et al.
vs. Cyrus Milanian, et al.
CV-S-02-1287-RLH(RJJ)
January 17, 2003

Page 2

The Motion to Withdraw is addressed. As there is not another local counsel prepared to enter the case and the Court will not waive that requirement, **IT IS HEREBY ORDERED Mr. Buhyoff's MOTION TO WITHDRAW is DENIED.**

Mr. Buhyoff requests reconsideration of the Court's ruling on his Motion to Withdraw. **The Court upholds its ruling and Mr. Buhyoff will not be permitted to withdraw.** The Court notes that new counsel is not a reason in itself to continue a trial date.

Mr. Silverman advises that the Defendants are amenable to a permanent injunction.

As this case has not been resolved by settlement, **IT IS HEREBY ORDERED the Court Trial in this matter shall commence Tuesday, January 21, 2003 at 8:30 a.m.**

As the Plaintiffs believed the matter had been settled, they discontinued preparation of the trial documents and therefore request a continuance for filing. **ACCORDINGLY, IT IS HEREBY ORDERED Plaintiffs' request is granted and they shall be permitted to file their trial documents the morning of January 21, 2003 before the trial commences.**

IT IS FURTHER ORDERED Defendants' request that their Motion for Summary Judgment be accepted as their trial brief is GRANTED.

The Court adjourns at 11:40 a.m.

LANCE S. WILSON, CLERK
U.S. DISTRICT COURT

BY: 

Deputy Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CAESARS WORLD, INC., et al.,)
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Plaintiff(s),)
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vs.)
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CYRUS MILANIAN, et al.,)
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)
Defendant(s).)
_____)

LANCE C. WILSON
CLERK
BY _____
DEPUTY

CV-S-02-1287-RLH(RJJ)

MINUTES OF THE COURT

DATED: January 23, 2003

THE HONORABLE ROGER L. HUNT UNITED STATES DISTRICT JUDGE
DEPUTY CLERK KANDY CAPOZZI COURT REPORTER LUCILLE LITSHEIM
COUNSEL FOR PLAINTIFF(S) STEPHEN FEINGOLD; RICHARD BROWN; PATRICK ROSE
COUNSEL FOR DEFENDANT(S) MELVIN SILVERMAN; GREGORY BUHYOFF; ANDREAS BABERO

**MINUTES OF PROCEEDINGS: CONSOLIDATED HEARING ON PRELIMINARY
INJUNCTION AND COURT TRIAL (DAY THREE)**

The Court convenes at 8:44 a.m. MARK CLAYTON, Vice President of Park Place Entertainment and CYRUS MILANIAN are also present. KATHERINE DOMINUS is present to assist the Plaintiffs and MICHAEL SANTUCCI is present to assist the Defendants.

Mr. Feingold is granted permission to call a witness out of order.

PATRICK BERGERE' is called to the stand. The witness is examined by Mr. Feingold, cross-examined by Mr. Silverman and excused. Plaintiffs' exhibit 488 is marked and admitted into evidence.

MARK CLAYTON, remaining under oath, returns to the stand and Mr. Silverman continues the cross-examination of the witness.

The Court recesses from 10:33 a.m. to 10:45 a.m.

MARK CLAYTON, remaining under oath, returns to the stand and cross-examination concludes. Mr. Clayton is further examined on redirect by Mr. Brown and excused. Defendants' exhibit N is marked and admitted into evidence.

Mr. Feingold represents that Plaintiffs will stipulate to four of Defendants' exhibits if Mr. Santucci can confirm that his conversation with Mr. Clayton revealed he had no recollection of

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Mr. Milanian nor the events at issue and that his testimony would merely have authenticated these documents. Additionally, Defendants' counsel will stipulate to the admission of a photograph of the Colosseum dining room.

Mr. Santucci makes a representation regarding the content of his conversation with Mr. Boynton.

Accordingly, Plaintiffs' exhibit 151 is admitted into evidence by stipulation. Mr. Silverman represents that the Defendants may not be presenting the exhibits to which the Plaintiffs are willing to stipulate.

Mr. Feingold makes an **oral Motion to Amend the Complaint to Conform to the Evidence**. Arguments are heard.

IT IS HEREBY ORDERED the Motion to Amend the Complaint to Conform to the Evidence is GRANTED. However, the Court does so without taking a position as to whether or not there is sufficient evidence to address the issue of compulsory counterclaims.

Mr. Feingold renews his oral **Motion Regarding the Compulsory Counterclaims** and further arguments are heard. **The Court again defers ruling on the issue.**

THE PLAINTIFFS REST.

Mr. Babero renews the oral **Motion to Dismiss New Las Vegas Development Corporation**. Arguments are heard.

IT IS HEREBY ORDERED the Defendants' renewed Motion to Dismiss New Las Vegas Development Corporation is DENIED for the reasons stated on the record.

The Court recesses from 11:37 a.m. to 12:59 p.m.

Mr. Feingold advises that the parties are attempting to resolve the claims as to New Las Vegas Development Corporation.

Mr. Silverman calls **DEBORAH MUNCH** to the stand. Ms. Munch is sworn and examination commences.

The Court recesses from 1:33 p.m. to 1:38 p.m.

Ms. Munch, remaining under oath, returns to the stand and examination concludes. The witness is cross-examined by Mr. Feingold and excused.

Caesars World, Inc., et al.
vs. Cyrus Milanian, et al.
CV-S-02-1287-RLH(RJJ)
January 23, 2003 (Court Trial-Day Three)

Page 3

Mr. Silverman advises they have discovered their other witness is out of the country. Therefore, the Defendants will not call any more witnesses.

The Court recesses from 1:56 p.m. to 2:22 p.m.

Defendants' exhibits K, L, M, O, V and W are marked and admitted into evidence. Exhibits C, D and E are marked.

THE DEFENDANTS REST.

The Court confirms that Plaintiffs' Motion to Exclude all Defendants' Witnesses was DENIED. IT IS FURTHER ORDERED Plaintiffs' Motion to Enforce Settlement is DENIED.

A discussion is held regarding post-trial briefs. Further arguments are heard.

IT IS HEREBY ORDERED counsel shall submit Post-Trial Briefs and Proposed Findings of Facts and Conclusions of Law and Judgments simultaneously on February 14, 2003. The case will then be taken under submission by the Court. The briefs shall be limited to the issues identified by the Court and shall include briefing on the issues of damages and attorneys' costs and fees. Proposed Findings of Facts and Conclusions of Law and Judgments shall be prepared in the appropriate style and submitted with disks.

The Court enters *preliminary* findings on the record: The Plaintiffs have superior rights to at least the Colosseum, Caesars Palace trademarks. The attempts to market these under whatever guise by the Defendant were not in good faith and constitute an infringement and/or threat of infringement against the Plaintiffs. An injunction will lie against Mr. Milanian as to these, as well as an injunction against marketing, litigation or other claims against the Plaintiffs.

The Court adjourns at 3:02 p.m.

LANCE S. WILSON, CLERK
U.S. DISTRICT COURT

BY: Kandy Capozzi
Deputy Clerk

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| CLERK US DISTRICT COURT DISTRICT OF NEVADA | |
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CAESARS WORLD, INC. and PARK PLACE)
ENTERTAINMENT CORPORATION,)
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Plaintiffs,)
)
vs.)
)
CYRUS MILANIAN, and THE NEW LAS)
VEGAS DEVELOPMENT COMPANY,)
L.L.C.,)
)
Defendants.)

Case No.: CV-S-02-1287-RLH (RJJ)

ORDER

(Motion for Attorneys' Fees-#58
Motion to Reconsider-#71
Motion for Attorneys' Fees-#73)

Before the Court are Plaintiffs' **Motions for Attorneys' Fees** (## 58 & 73), filed February 14 and March 21, 2003 and Defendant Milanian's **Motion to Reconsider** (#71), filed March 6, 2003. The Court has also considered Plaintiffs' Opposition (#77), filed March 24, 2003, Defendant's Opposition (#82), filed April 7, 2003, and Defendant's Reply (#81), filed April 4, 2003.

Motion to Reconsider

Although not mentioned in any of the Federal Rules of Civil Procedure, motions for reconsideration may be brought under both Rules 59(e) and 60(b). "Under Rule 59(e), a motion for reconsideration should not be granted, absent highly unusual circumstances, unless the district

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1 court is presented with newly discovered evidence, committed clear error, or if there is an
2 intervening change in the controlling law." *389 Orange St. Partners v. Arnold*, 179 F.3d 656, 665
3 (9th Cir. 1999).

4 Under Rule 60(b), a court may relieve a party from a final judgment, order or
5 proceeding only for: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly
6 discovered evidence; (3) fraud; (4) the judgment is void; (5) the judgment has been satisfied; or (6)
7 any other reason justifying relief from the judgment. A motion for reconsideration is properly
8 denied when it presents no arguments that were not already raised in its original motion. *See*
9 *Backlund v. Barnhart*, 778 F.2d 1386, 1388 (9th Cir. 1985).

10 Motions for reconsideration are not "the proper vehicles for rehashing old
11 arguments," *Resolution Trust Corp. v. Holmes*, 846 F.Supp. 1310, 1316 (S.D.Tex. 1994)(footnotes
12 omitted), and are not "intended to give an unhappy litigant one additional chance to sway the
13 judge." *Durkin v. Taylor*, 444 F.Supp. 879, 889 (E.D.Va. 1977).

14 On February 20, 2003 the Court issued a 62-page Findings of Fact and Conclusions
15 of Law accompanying Judgment in this case and does not feel compelled to rehash what is already
16 sufficiently explained. Defendant contends that the Court did not take certain factors into
17 consideration when rendering its ruling. However, nowhere does Defendant provide justification
18 for reconsidering its judgment. Defendant's motion will be denied.

19 **Motion for Attorneys' Fees**

20 Plaintiff's first motion for Attorneys' fees is made pursuant to F.R.C.P. 37(d) which
21 provides, in the event a party fails to attend its own deposition,

22 the court shall require the party failing to act or the attorney advising
23 that party or both to pay the reasonable expenses, including
24 attorney's fees, caused by the failure unless the court finds that the
25 failure was substantially justified or that other circumstances make
26 an award of expenses unjust.

1 The Court notes that Plaintiffs' motion is unopposed. However, it does not feel
2 bound by Local Rule 7-2(d) in this instance. Plaintiffs ask for \$14,545.44, a figure based on a
3 simple itemization showing charges for time of \$335 and \$445 per hour. The Court is not satisfied
4 that such expenditures were justified or appropriate to recover. Because the Court already
5 significantly penalized Defendant for not appearing at his deposition by prohibiting his testimony,
6 the Court is not inclined to allow recovery of fees. However, part of the itemization shows a cost
7 of \$131.15 for a court reporter and \$7.74 for "service costs." These costs, the Court feels, are
8 justifiably recoverable by Plaintiffs.

9 Plaintiffs' motion for attorneys' fees (#58) will be granted in the amount of
10 \$138.89.

11 Plaintiffs' second motion for attorneys' fees, made pursuant to F.R.C.P.
12 54(d)(2)(A), requests \$316,089.30 in fees and \$894.88 in non-taxable expenses.

13 Without the benefit of an auditor, after examining Plaintiffs' itemization of fees, it
14 appears to the Court that there is billing for duplication of services as well as time spent for
15 services that seems excessive. While the Court appreciates the speed with which this case was
16 brought to trial and understands that the preparation to do such is time intensive, it feels justified
17 in arbitrarily reducing the amount of awarded fees by 25% of what Plaintiffs request.

18 Plaintiffs' second motion for attorneys' fees and non-taxable costs will be awarded
19 in the amount of \$237,067.00 and expenses in the full amount of \$894.88.

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1 Accordingly, and for good cause appearing,
2 IT IS HEREBY ORDERED that Defendant's Motion to Reconsider (#71) is
3 DENIED.

4 IT IS FURTHER ORDERED that Plaintiffs' first Motion for Attorneys' Fees (#58)
5 is GRANTED in the amount of \$138.89.

6 IT IS FURTHER ORDERED that Plaintiffs' second Motion for Attorneys' Fees
7 (#73) is GRANTED in the amount of \$237,067.00 in fees and \$894.88 in costs.

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9 Dated: May 8, 2003.

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12 **ROGER L. HUNT**
13 **United States District Judge**
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| MAY 12 2003 | |
| CLERK US DISTRICT COURT | |
| DISTRICT OF NEVADA | |
| By: <u>MS</u> | DEPUTY |

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CAESARS WORLD, INC., et al.,

Plaintiff,

vs.

CYRUS MILANIAN, et al.,

Defendant.

JUDGMENT IN A CIVIL CASE

CV-S-02-1287-RLH (RJJ)

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered it's verdict.

X Decision by Court. This action came to be considered by the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Plaintiff's motion for attorneys' fees (#58) is GRANTED in the amount of \$138.89. Plaintiffs' motion for attorneys' fees (#73) is GRANTED in the amount of \$237,067.00 in fees and \$894.88 in costs. Judgment is entered for the Plaintiffs' and against Defendant Cyrus Milanian.

LANCE S. WILSON, CLERK

May 12, 2003

By: M. Faine
Deputy Clerk

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